



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

August 20, 2014

CERTIFIED MAIL NO. 7010 0780 0000 6968 2070
RETURN RECEIPT REQUESTED

Kerry Parker
Manager III, Operations
BAE Systems
7822 South 46th Street
Phoenix, AZ 85044-5313

Dear Mr. Parker:

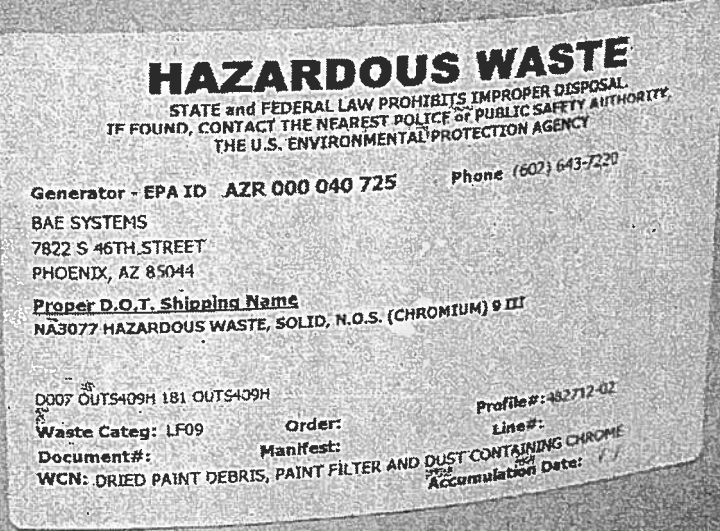
On March 20, 2014, representatives of the U.S. Environmental Protection Agency (EPA) conducted an unannounced compliance evaluation inspection (CEI) of BAE Systems with EPA ID No: AZR000040725. The purpose of the inspection was to determine BAE Systems' compliance with applicable federal environmental statutes and regulations, and in particular, the Resource Conservation and Recovery Act (RCRA), as amended, the regulations provided in the Code of Federal Regulations (CFR), Chapter 40, Parts 261-265, 268, 273, and 279.

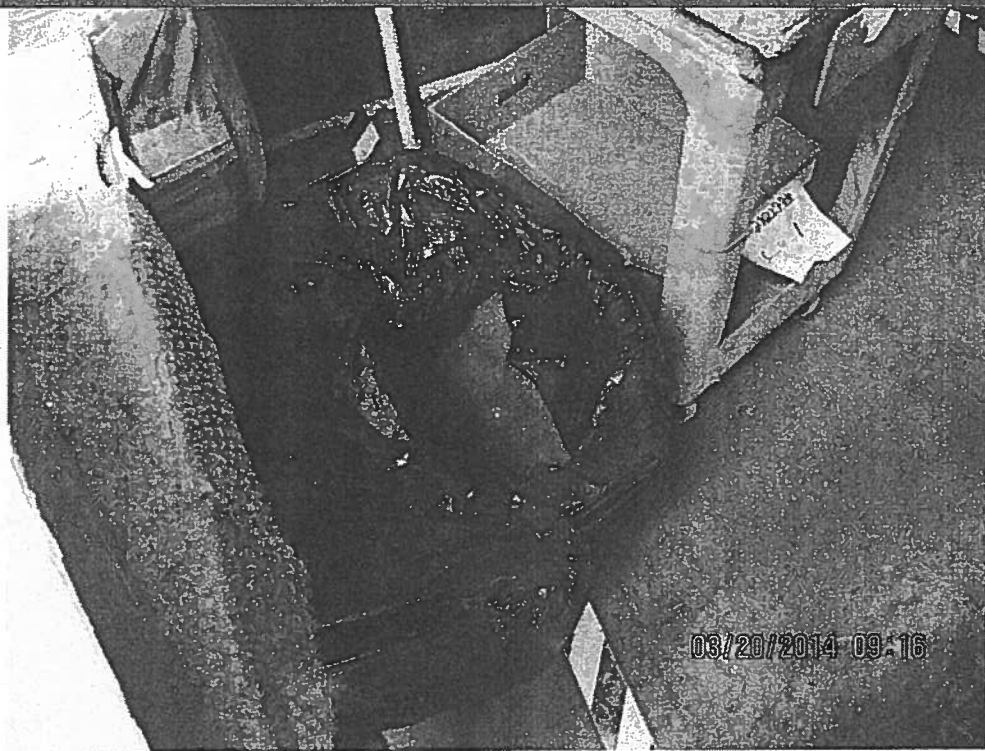
The inspectors conducted a physical inspection of the facility and reviewed records related to BAE Systems' hazardous waste management practices. This inspection letter summarizes the violations identified by the inspectors and the corrective actions required to achieve compliance.

Confidential Business Information

If BAE Systems believes that any information in your response to this letter is entitled to treatment as confidential business information, please identify any such information and assert a confidentiality claim in accordance with 40 CFR § 2.203(b) in BAE Systems' response. EPA will construe the failure to make a confidentiality claim when the response is submitted to EPA as a waiver of that claim and information may be made available to the public by the EPA without further notice.

If EPA determines that any information over which BAE Systems asserts a claim meets the criteria set forth in 40 CFR § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 CFR Part 2, Subpart B.

OBSERVATION AND STATUTE OR REGULATION	PHOTOGRAPH	REQUIRED FACILITY RESPONSE
<p>1</p> <p>Improperly labeled hazardous waste containers.</p> <p>40 CFR §262.32 Marking requirements for hazardous waste containers</p>	 <p>HAZARDOUS WASTE STATE and FEDERAL LAW PROHIBITS IMPROPER DISPOSAL. IF FOUND, CONTACT THE NEAREST POLICE or PUBLIC SAFETY AUTHORITY. THE U.S. ENVIRONMENTAL PROTECTION AGENCY</p> <p>Generator - EPA ID AZR 000 040 725 Phone (602) 643-7220 BAE SYSTEMS 7822 S 46TH STREET PHOENIX, AZ 85044</p> <p><u>Proper D.O.T. Shipping Name</u> NA3077 HAZARDOUS WASTE, SOLID, N.O.S. (CHROMIUM) 9 III</p> <p>D007 OUTS409H 181 OUTS409H Waste Categ: LF09 Order: Profile#: 482712-02 Document#: Manifest: Line#: WCN: DRIED PAINT DEBRIS, PAINT FILTER AND DUST CONTAINING CHROME Accumulation Date: 03/20/2014 09:06</p>	<p>Ensure all containers of hazardous waste are properly labelled. This drum should be labelled waste paint related material. It did not contain dried paint debris, paint filter and dust containing chrome.</p>

	OBSERVATION AND STATUTE OR REGULATION	PHOTOGRAPH	REQUIRED FACILITY RESPONSE
2	<p>Containers must be kept closed during storage except when adding or removing waste.</p> <p>40 CFR § 265.173</p>		<p>Ensure all hazardous waste is kept in closed drums. Paint filters should be added to the drum after they are removed from the spray booth, not stored in plastic bags.</p>

	Records	Years	Observations
3	<p>Spill Contingency Plan</p> <p>40 CFR § 265.52</p>	2013	<p>The Spill Contingency Plan had not been updated to reflect the changes to the Environmental Manager position over the past two years.</p>

Violations of Subtitle C of RCRA such as those listed in this letter may be punishable by civil and criminal actions, including penalties of up to \$37,500 per day for each violation, as provided by Section 3008 of RCRA.

Your response to this RCRA Compliance Evaluation Letter is due within 30 calendar days of your receipt of this letter and must include a letter signed by a duly authorized official of BAE Systems certifying correction of the identified areas of noncompliance. Documentation of your return to compliance may consist of, among other items, photographs, manifests, and revised records. Please send the responses by certified mail, return receipt requested, addressed to:

John Brock
Enforcement Division, Waste and Chemical Section
U.S. Environmental Protection Agency (ENF 2-2)
75 Hawthorne Street
San Francisco, CA 94105
Email: brock.john@epa.gov

In lieu of submitting the requested response by certified mail, BAE Systems may submit the response as portable document file(s) via electronic mail.

Once EPA receives your required response, we anticipate no further RCRA enforcement action at this time. This letter should not be construed as an EPA determination regarding your compliance with any other applicable regulation. If you have any questions related to this letter, please contact John Brock of my staff at (415) 972-3999.

Sincerely,



Douglas K. McDaniel
Chief, Waste and Chemical Section
Enforcement Division

cc: Randall Matas, AZDEQ